

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

Chambers of
BENSON EVERETT LEGG
Chief Judge

101 West Lombard Street
Baltimore, Maryland 21201
(410) 962-0723

June 7, 2005

MEMORANDUM TO COUNSEL RE:

Monumental Life Ins. Co. v. Philip K. Leonard, Jr. et al., Civil No. L-05-933

Dear Counsel:

Monumental Life Insurance Company (“Monumental”) filed this interpleader action against Philip K. Leonard, Jr., Philip K. Leonard, III, and Catherine Leonard. These three defendants were beneficiaries to a policy insuring the life of Nancy Leonard.

On October 4, 2003, Nancy Leonard died. According to the death certificate, the cause of death was a gunshot wound to the head. On December 3, 2003, Monumental received a police report stating that no one had been eliminated as a suspect.

On May 25, 2005, Philip K. Leonard, Jr. filed a Stipulation of Settlement. The Stipulation contains affidavits from Philip K. Leonard, III and Catherine Leonard. The affidavits state that neither Philip K. Leonard, III, nor Catherine Leonard are making a claim to the proceeds of the life insurance policy. Accordingly, Philip K. Leonard, Jr. asks the Court to enter a final judgment in his favor.

Before the Court can issue a final judgment, several issues need to be briefed. On or before June 17, 2005, Monumental shall state: (i) what costs, if any, it is seeking, (ii) whether the criminal investigation into Nancy Leonard’s death has concluded, and (iii) what effect, if any, an open criminal investigation has on the Stipulation of Settlement. Philip K. Leonard, Jr. may, if necessary, file a response on or before June 24, 2005.

Despite the informal nature of this memorandum, it shall be flagged as an opinion and docketed as an order.

Very truly yours,

/s/
Benson Everett Legg

c: Court file